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March 7, 2005

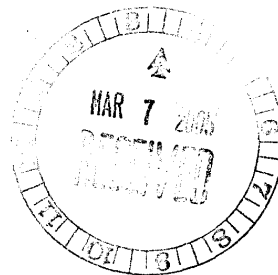
BY HAND

Vernon A. Williams
Secretary
Surface Transportation Board
1925 K. Street, N.W.
Washington, D.C. 20423

ENTERED
Office of Proceedings

MAR 7 2005

Part of
Public Record



Re: Docket No. AB-512X, *Sierra Pacific Industries – Abandonment Exemption – 2/3492*
In Amador County, CA, and
Docket No. AB-880X, *SierraPine – Discontinuance Exemption – In – 2/3493*
Amador County, CA

Dear Secretary Williams:

As counsel for Sierra Pacific Industries ("SPI") and SierraPine in these proceedings, I write in response to the February 28, 2005 letter to you from Rose-Michele Weinryb, counsel for the Martell Industrial Center, LLC ("Martell") in which Martell requests an extension, pursuant to 49 C.F.R. §1152.27(c)(1)(i)(C), of the deadline for submission of offers of financial assistance. Per the Board's order served February 25, 2005, the present deadline for OFAs is today, March 7. In its letter, Martell asks that the deadline "be extended until 60 days after the date on which SPI and/or SierraPine provide Martell with the information" Martell has requested.

As noted in my January 26, 2005 letter to counsel for Martell, in response to Martell's request, SPI and SierraPine are having an appraisal of the line performed and are looking for and assembling other requested information. We anticipate that the appraisal will be completed and any other available information assembled within the next week to ten days.

SPI and SierraPine do not object to the granting of a reasonable extension. We submit, however, that the extension requested by Martell — 60 days following Martell's receipt of the information — is excessive and unnecessary. The Board's regulations allocate a relatively brief period of time (10 days) for the preparation and submission of OFAs following the granting of a petition for exemption. 49 C.F.R. §1152.27(c)(1)(i)(B). In recent decisions the Board has granted extensions of time of a duration consistent with that schedule. See, e.g., *Union Pac. R.R. Co.—Abandonment Exemption—In Kootenai County, ID*, STB Docket No. AB-33 (Sub-No.

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218X), slip op. at 1 (served January 5, 2005) (OFA deadline extended until 10 days after offeror's receipt of information); *Union Pac. R.R. Co.—Abandonment Exemption—In Lamar and Fannin Counties, TX*, STB Docket No. AB-33 (Sub-No. 163X), slip op. at 1 (served June 25, 2003) (12 days after receipt of information).

Martell has not suggested any reason why it would need any more than 10 days following receipt of the information to file its OFA, much less the extraordinary 60-day extension it seeks. For that reason, SPI and SierraPine respectfully request that the Board extend the deadline for Martell to file an OFA to no more than 10 days following Martell's receipt of information from SPI and SierraPine. SPI and SierraPine will, of course, notify the Board of the date of their provision of the required information so that the OFA deadline can be determined for the record. See *Union Pac. R.R. Co.—Abandonment Exemption—In Kootenai County, ID*, STB Docket No. AB-33 (Sub-No. 218X), slip op. at 1 n.2 (served January 5, 2005).

Sincerely,

A handwritten signature in dark ink, appearing to read "Richard A. Allen". The signature is fluid and cursive, with the first name "Richard" being more prominent than the last name "Allen".

Richard A. Allen

cc: All Parties of Record